



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-69**

October 26, 2004

Mr. John Thibodeau
23 Meetinghouse Hill Rd.
Deerfield, NH 03037

RE: DES Wetlands File #2004-02380 Meetinghouse Hill Rd, Deerfield

Dear Mr. Thibodeau:

On October 14, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Deerfield Tax Map 410 as Lot 111 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. In the northeast section of a former beaver impoundment wetland, approximately 25,680 square feet of wetland had been dredged and filled. A stream outletting from the impoundment had been disturbed.
2. In the southeast section of the former beaver impoundment wetland, approximately 4,080 square feet had been filled.

In response, you are requested to take the following actions:

1. Immediately stabilize any exposed soils in or adjacent to the wetland with straw;
2. By November 15, 2004, retain a certified wetland scientist to prepare a restoration plan for items 1 & 2 listed above. The restoration plan should be submitted to DES for approval by December 31, 2004 and contain the following:
 - a. A plan with dimensions, drawn to scale, indicating the footprint of the beaver impoundment and associated wetlands prior to disturbance (delineated in accordance with Section F of the Corps of Engineers Wetlands Delineation Manual); and the footprint of the existing conditions indicating the areas that have been disturbed.
 - b. A plan for re-establishing the wetland to its original footprint;
 - c. A proposed means of sediment and erosion control;
 - d. A proposed schedule and restoration sequence listing equipment and methods for accomplishing restoration;
 - e. A proposed planting plan for the re-establishment of wetland vegetation;
 - f. A monitoring and reporting schedule including an initial report to DES and at least two restoration progress assessment reports after a full growing season;
3. Carry out restoration after approval and as conditioned in a separate DES Restoration Approval Letter by September 1, 2005.

You had indicated that you would like to retain a part of the former beaver impoundment for a meadow for your livestock. If it is determined that the restoration of hydrology to the wetland can be limited to the northern half of the former beaver impoundment, The New Hampshire Department of Agriculture may be able to assist you with advice and/or grant money for the component of the restoration plan that incorporates a meadow area for livestock. Contact The New Hampshire Department of Agriculture, Bureau of Markets, Mr. Dick Uncles, Bureau Supervisor, (603) 271-2753 for advice on Best Management Practices related to farm animals and wetlands.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

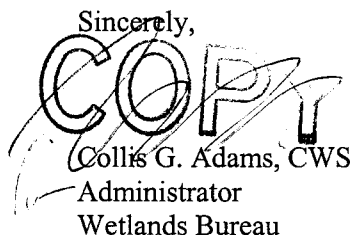
DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Arlene Allen, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Arlene Allen at (603) 271-4192.

Sincerely,

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0003 0562 6557

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Deerfield Conservation Commission
Deerfield Board of Selectmen
USACOE